IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.13927 of 2008
MOTILAL YADAV & ANR
Versus
THE STATE OF BIHAR

06/ 05.09.2008 It is contended that Motilal Yadav petitioner no.1 died while this petition was pending. The petition in respect of Motilal Yadav has become infructuous.

Heard on petition of Madan Yadav.

As may appear from the earlier order passed by a Bench of this court, the petitioner is not named in the FIR and his name appeared in the solitary statement of Jhinnu Yadav two months after the incident.

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The simple contention is that if at all Jhinnu Yadav knew about the complicity of the petitioner Madan Yadav there was nothing obstructing him to speak out. It is further contended that Nawal Yadav ssimilarly situated accused has been admitted to bail by me in Cr. Misc. No. 42019 of 2006.

Let petitioner Madan Yadav be released from custody on furnishing a bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, Bagaha

(West Champaran) in connection with Sessions Trial No. 153 of 2007 arising out of Semra P.S. Case No. 15 of 2004.

DKS/ **(Dharnidhar Jha, J)**

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